

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

RABBI DAVID SLOMOVITZ, NATHAN FRANKEL, EDWARD HANDLER, SAMUEL LANDY, MIRIAM LEVITZ, HARRY LIEBER, DAVID REICH, ABRAHAM TAUBER, and MORRIS WALDMAN,	Civil No. 3:18-cv-16910
Plaintiffs,	
v.	
THE ENCLAVE AT FAIRWAYS HOMEOWNERS ASSOCIATION, INC., a New Jersey Domestic Corporation,	
Defendant.	

**MOTION FOR TEMPORARY RESTRAINING ORDER PURSUANT TO FEDERAL
RULE OF CIVIL PROCEDURE 65 AND FOR OTHER RELIEF**

COMES NOW Plaintiffs and move this Court for a Temporary Restraining Order pursuant to Rule 65 of the Federal Rules of Civil Procedure seeking preliminary and permanent orders as follows:

1. The Defendant, THE ENCLAVE AT THE FAIRWAYS HOMEOWNERS ASSOCIATION, INC., shall leave open the Damiano Way gate from two hours before sunset on Fridays to after sunset on Saturdays and for similar times on Holy Days, or shall provide pedestrian access to and from the Damiano Way gate without use of electronic devices.
2. The Defendant, THE ENCLAVE AT THE FAIRWAYS HOMEOWNERS ASSOCIATION, INC., shall cease and desist from taking any action against

Orthodox Jewish homeowners for conducting prayer gatherings in their homes that are incidental to the principal residential use of such homes, and shall permit such prayer gatherings to occur.

3. The Defendant, THE ENCLAVE AT THE FAIRWAYS HOMEOWNERS ASSOCIATION, INC., shall permit residents of The Enclave to authorize gate access for guests for more than one day.
4. The Defendant, THE ENCLAVE AT THE FAIRWAYS HOMEOWNERS ASSOCIATION, INC., shall be enjoined from requiring that pedestrian guests of residents of The Enclave be accompanied by a homeowner during the Sabbath and on Holy Days.
5. A copy of this Order and the Plaintiffs' Motion for a Restraining Order supporting Declarations and Memorandum as well as Plaintiffs' Complaint shall be served upon the Defendant, THE ENCLAVE AT THE FAIRWAYS HOMEOWNERS ASSOCIATION, INC., via personal service within one (1) day of this Court's Order. In the event service cannot be made upon the resident agent of the Defendant by noon on Friday, December 7, 2018, Plaintiffs shall be permitted to serve same upon the business office of the Defendant, THE ENCLAVE AT THE FAIRWAYS HOMEOWNERS ASSOCIATION, INC., located at 65 Enclave Boulevard in the Township of Lakewood, in the State of New Jersey.
6. For such other relief as the Court deems appropriate.

Plaintiffs do hereby incorporate their Memorandum and Declarations submitted in support of this Motion as well as Plaintiffs' Complaint.

Dated: December 6, 2018

STORZER & ASSOCIATES, P.C.

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